

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Transportation Committee

BILL: SB 858

INTRODUCER: Senator Garcia

SUBJECT: Driver's Licenses/Contributions to Stop Heart Disease

DATE: March 11, 2009 REVISED: 03/17/09

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	Hansson	Meyer	TR	Fav/1 amendment
2.			HR	
3.			HA	
4.				
5.				
6.				

Please see Section VIII. for Additional Information:

- | | | |
|------------------------------|-------------------------------------|---|
| A. COMMITTEE SUBSTITUTE..... | <input type="checkbox"/> | Statement of Substantial Changes |
| B. AMENDMENTS..... | <input checked="" type="checkbox"/> | Technical amendments were recommended |
| | <input type="checkbox"/> | Amendments were recommended |
| | <input type="checkbox"/> | Significant amendments were recommended |

I. Summary:

This bill requires the Department of Highway Safety and Motor Vehicles (DHSMV), to include a check off for a voluntary contribution to Stop Heart Disease on each driver's license application form and application form for driver's license renewal issuance or renewal extension. Stop Heart Disease is a special trust fund established by the Florida Heart Research Institute, a nonprofit organization. The Florida Heart Research Institute has completed the statutory requirements, authorizing it to seek Legislative enactment of the voluntary contribution check off.

This bill substantially amends ss. 322.08 and 322.18 of the Florida Statutes.

II. Present Situation:

Section 322.081, F.S., provides the procedures which an organization must follow prior to seeking Legislative authorization to establish a voluntary check off on a driver's license application. Before the organization is eligible, it must submit the following requirements to DHSMV at least 90 days before the convening of the Regular Session of the Legislature:

- A request for the particular voluntary contribution being sought, describing it in general terms.
- An application fee of up to \$10,000 to defray DHSMV's costs for reviewing the application and developing the check off, if authorized, and State funds may not be used to pay the application fee.
- A short and long-term marketing strategy and a financial analysis outlining the anticipated revenues and the planned expenditures of the revenues to be derived from the voluntary contributions.

DHSMV must discontinue the check off if less than \$25,000 has been contributed by the end of the fifth year, or if less than \$25,000 is contributed during any subsequent 5-year period.

Pursuant to s. 322.08, F.S., the driver's license application and renewal forms currently include the following six voluntary contribution check offs:

- A voluntary contribution of \$1 per applicant, which shall be deposited into the Health Care Trust Fund for organ and tissue donor education and for maintaining the organ and tissue donor registry.
- A voluntary contribution of \$1 per applicant, which shall be distributed to the Florida Council of the Blind.
- A voluntary contribution of \$2 per applicant, which shall be distributed to the Hearing Research Institute, Incorporated.
- A voluntary contribution of \$1 per applicant, which shall be distributed to the Juvenile Diabetes Foundation International.
- A voluntary contribution of \$1 per applicant, which shall be distributed to the Children's Hearing Help Fund.
- A voluntary contribution of \$1 per applicant, which shall be distributed to Family First, a nonprofit organization.

An organization requesting a driver's license check off must also provide a statement, which explains the purpose of the trust fund created through the check off. Some contributions received through driver's license check offs are exempted from the general revenue service charges as established in s. 215.20, F.S.

Currently, Stop Heart Disease is not an option for a voluntary contribution on driver's license application and driver's license renewal issuance or renewal extension forms.

The mission of the Florida Heart Disease Research Institute (FHDMI) is to pursue heart disease research, education and prevention in Florida. Heart disease is the leading cause of death in the United States. FHDMI is a self-contained cardiovascular research center, but it also collaborates with other research partners on the national level, thereby developing new and innovative research efforts. FHDMI is also recognized as a leading cardiovascular resource for the local community, as it provides free community services, including onsite and offsite screening programs for the underserved and uninsured and a free lecture series for community service organizations.

III. Effect of Proposed Changes:

Section 1: Amends s. 322.08, F.S., to require the DHSMV to include a check off for a voluntary \$1 contribution to Stop Heart Disease on each driver's license application form. The contributions donated to Stop Heart Disease through the driver's license check off will go towards the Florida Heart Disease Research Institute, a nonprofit organization. This section also exempts the funds from the general revenue service charge.

Section 2: Amends s. 322.18, F.S., to require the driver's license application form for renewal issuance or renewal extension to include language permitting the applicant to make a voluntary contribution of \$1 per applicant to Stop Heart Disease, which shall be distributed to the Florida Heart Research Institute, a nonprofit organization.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

Citizens wishing to contribute \$1 to Stop Heart Disease may do so by checking the organization on the driver's license application form or form for renewal issuance or renewal extension.

C. Government Sector Impact:

The Florida Heart Disease Research Institute has paid an application fee of \$10,000 to defray DHSMV's costs for reviewing the application and developing the check off.

VI. Technical Deficiencies:

None.

VII. Related Issues:

DHSMV suggests Section 2 be deleted, because it is redundant.

DHSMV also suggests the effective date be changed to October 1, 2009, to allow sufficient time for programming modification.

VIII. Additional Information:

- A. **Committee Substitute – Statement of Substantial Changes:**
(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

- B. **Amendments:**

Barcode 630178 by the Committee on Transportation on March 17, 2009:
This amendment deletes Section 2 and changes the effective date.